

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

SACRED HEART HEALTH SERVICES,
d/b/a Avera Sacred Heart Hospital;
AVERA HEALTH & LEWIS &
CLARK SPECIALTY HOSPITAL, LLC;

Plaintiffs,

vs.

MIDWEST MEDICAL INSURANCE
COMPANY, d/b/a MMIC Insurance, Inc.,

Defendant.

CIV 20-4149

ORDER

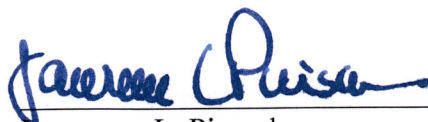
The Court held a hearing on June 7, 2023, concerning further scheduling in this case as the case had been previously continued at the Defendant's request. Accordingly,

IT IS ORDERED:

1. That the case will proceed to trial at the Federal Courthouse in Sioux Falls, South Dakota, on Monday, October 23, 2023, with counsel to be present at 9:00 A.M., and the jurors to be present at 9:30 A.M.
2. That the Defendant may retain a replacement expert witness for Mr. O'Malley, as he is now deceased and no deposition was taken from Mr. O'Malley for the trial. The replacement expert's report must be disclosed to Plaintiffs by September 1, 2023. The parties will then arrange the taking of that expert's deposition.
3. The defense requested that they be able to submit either additional or substitute jury instructions in view of a portion of the Court's ruling on Defendant's Motion for Summary Judgment. The parties may submit additional or replacement instructions by July 14, 2023.
4. That the Court will hold a pre-trial conference in Sioux Falls, South Dakota, on September 25, 2023, at 2:00 P.M.


Dated this 15 day of June, 2023.

BY THE COURT:

A handwritten signature in blue ink, appearing to read "Lawrence L. Piersol", written over a horizontal line.

Lawrence L. Piersol
United States District Judge

ATTEST:
MATTHEW W. THELEN, CLERK

A handwritten signature in blue ink, appearing to read "Matthew W. Thelen", written over a horizontal line.